

County of Los Angeles

Sheriff's Department Headquarters

4700 Ramona Boulevard
Monterey Park, California 91754-2169



January 9, 2012

Sergeant Eric Gonzalez, #[redacted]

Dear Sergeant Gonzalez:

On May 25, 2011, you were served with a Letter of Intention, indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under IAB File Number 2287540. You were also advised of your right to review the material on which the discipline was based.

You are hereby notified that pursuant to an Education-Based Discipline (EBD) Agreement between you and this Department dated December 15, 2011, you are suspended without pay from your position of Sergeant, Item No. 2717A, with this Department for a period of four (4) days. However, pursuant to the EBD agreement, the four (4) days will be held in abeyance for a period of twelve (12) months which will end on December 14, 2012. All Department records will reflect, nevertheless, that you received a four (4) day suspension. In accordance with the EBD Agreement, you have agreed to participate in an education-based alternative to discipline. Should you fail to complete any of the terms and conditions of the EBD Agreement, the four (4) days held in abeyance will be imposed.

An investigation under File Number IAB 2287540, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/050.10, Performance to Standards, on or about May 27, 2010, while participating in a tactical operation [the search of the residence of a known gang member on probation], you unnecessarily put yourself and/or your subordinate(s) in an unsafe position, and/or failed to properly perform your duties, and/or failed to perform your duties in a manner which would tend to establish and maintain the highest

standards of efficiency in carrying out the functions and objectives of the department, and/or failed to conform to the work standards established for your position, as evidenced by, but not limited to:

a) failing to adequately prepare a tactical plan, and/or;

b) assuming the role of the Incident Commander of the tactical operation without informing your watch commander [Lt. Godfrey], and/or;

c) failing to take the role of an observer, and/or failing to ensure your subordinate(s) took the role of an observer in the tactical operation, and/or;

d) comprising an entry team that included a non-patrol trained deputy [Deputy Ayala] even though Deputy Ayala lacked experience and/or familiarity with field operations and/or field tactics, and/or;

e) allowing a subordinate [Deputy Ayala] to approve your supplemental report of the incident.

Prior to imposing this disciplinary action, the Department's Executive Force Review Committee and I have thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Ralph G. Ornelas, Captain
Commander, Men's Central Jail

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

RGO:JBN:md

c: Advocacy Unit
Dennis H. Burns, Chief, Custody Operations Division
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Men's Central Jail/unit Personnel File

SETTLEMENT AGREEMENT

This Agreement is entered into between the Los Angeles County Sheriff's Department, hereinafter referred to as "Department," and Sergeant Eric Gonzalez, Employee No. [redacted] hereinafter referred to as "Sergeant Gonzalez."

The Department and Sergeant Gonzalez are parties to this dispute and desire to settle all issues involved in IAB No. 2287540 upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, the Department and Sergeant Gonzalez for and in consideration of the mutual covenants contained herein, agree as follows:

1. Both parties agree that the four (4) day suspension shall stand.

2. The Department will, upon execution of this Settlement Agreement, hold the four (4) days in abeyance pending completion of the below listed training.

3. Both parties agree and understand that Sergeant Gonzalez's records will reflect that the four (4) day suspension was imposed and may be used for the purposes of demonstrating "progressive discipline."

4. Sergeant Gonzalez agrees to attend and complete the below listed EBD courses and understands that failure to complete **all** of the courses and assignments shall result in the imposition of the four (4) days held in abeyance:

- Lieutenant's Interactive Forum for Education (LIFE) Course (8 hours)
- Professional Development (Ethical Decision Making) class (8 hours)
- Write an EBD evaluation reflecting on your experience with the EBD process

5. The Department may adjust Sergeant Gonzalez's schedule to participate in EBD courses and EBD items, as EBD is conducted on-duty.

6. Sergeant Gonzalez agrees to cooperate with his Unit Commander to complete the courses as soon as practicable, but no longer than one (1) year from the date of execution of this EBD Agreement.

7. Sergeant Gonzalez further agrees to waive any and all further administrative or judicial remedies with respect to the Letter of Imposition and the modified discipline, and also waives any administrative or judicial remedies with respect to any imposition pursuant to paragraph three (3), above. This waiver shall include, but not be limited to, appeals to the Los Angeles County Civil Service Commission and/or the Los Angeles County Employee Relations Commission.

12/28/11

8. The parties further agree that this EBD Agreement shall not be considered, cited, or used in future disputes as establishing past precedent or past employment practice.

9. In consideration of the terms and conditions set forth herein, Sergeant Gonzalez agrees to fully release, acquit and forever discharge the County, and all present and former officers, employees and agents of the County, and their heirs, successors, assigns and legal representatives from any and all liability whatsoever for any and all claims arising out of or connected with the employment relationship between the County and Sergeant Gonzalez concerning the subject matter referred to herein.

10. Sergeant Gonzalez further agrees to relinquish and expressly waives all rights conferred upon him by the provisions of California Civil Code Section 1542, which reads as follows:

> *"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."*

11. The date of the last signature placed hereon shall hereinafter be known as the "date of execution" and the "effective date" of this EBD Agreement.

12. The parties agree that the foregoing comprises the entire EBD Agreement between the parties and that there have been no other promises made by any party. Any modification of this EBD Agreement must be in writing.

I have read the foregoing EBD Agreement, and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences.

Date: 12/13/11

Eric Gonzalez, Sergeant

Date: 12-15-11

Dennis H. Burns, Chief
Custody Operations Division



Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



May 25, 2011

Sergeant Eric Gonzalez, #[redacted]

Dear Sergeant Gonzalez:

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Sergeant, Item No. 2717A, with this Department for a period of four (4) days.

An investigation under IAB File Number 2287540, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/050.10, Performance to Standards, on or about May 27, 2010, while participating in a tactical operation [the search of the residence of a known gang member on probation], you unnecessarily put yourself and/or your subordinate(s) in an unsafe position, and/or failed to properly perform your duties, and/or failed to perform your duties in a manner which would tend to establish and maintain the highest standards of efficiency in carrying out the functions and objectives of the department, and/or failed to conform to the work standards established for your position, as evidenced by, but not limited to:

    a) failing to adequately prepare a tactical plan, and/or;

    b) assuming the role of the Incident Commander of the tactical operation without informing your watch commander [Lt.

Godfrey], and/or;

c) failing to take the role of an observer, and/or failing to ensure your subordinate(s) took the role of an observer in the tactical operation, and/or;

d) comprising an entry team that included a non-patrol trained deputy [Deputy Ayala] even though Deputy Ayala lacked experience and/or familiarity with field operations and/or field tactics, and/or;

e) allowing a subordinate [Deputy Ayala] to approve your supplemental report of the incident.

Prior to determining this disciplinary action, the Department's Executive Force Review Committee and I have thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.

At the time of service of this letter of intent, you were provided with a copy of the material on which the discipline is based. If you are unable to access the information provided in the enclosed CD, you may contact Jacqueline Powell, of Internal Affairs Bureau, at (323) 890-5311, and arrange an appointment for assistance in this regard.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Ralph G. Ornelas, Captain
Commander, Men's Central Jail

RGO:JMG:jp

c: Advocacy Unit
Employee Relations Unit
Dennis H. Burns, Chief, Custody Operations Divison
Internal Affairs Bureau
Office of Independent Review (OIR)
(File # IAB 2287540)

I certify that on the date indicated below, I received the original of the attached Letter of Intent under File Number ***IAB 2287540.***

5/25/11

Date

[redacted]

ERIC GONZALEZ, # [redacted]

I certify that on the date indicated below, I served the original Letter of Intent to ***ERIC GONZALEZ.***

5-25-11

Date

WITNESS SIGNATURE

CORONNE JACOB

WITNESS PRINT

Please return this page within two (2) business days to:

JACQUELINE POWELL
Internal Affairs Bureau
4900 S. Eastern Ave. #100
Commerce CA 90040
(323) 890-5311

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: May 24, 2011
FILE NO. IV2287540 / FO2272828

FROM: JOSEPH S. HARTSHORNE, COMMANDER
OFFICE OF THE ASSISTANT SHERIFF

TO: JOESPH M. GOODEN, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS
USE OF FORCE

The purpose of this memo is to notify you of the Review Committee's findings and recommendations concerning the use of force incident which occurred on May 27, 2010.

The Committee met on May 24, 2011, and consisted of me, Commander Edward F. Rogner, Contract Law Enforcement Division, and Commander Daryl Evans, Technical Services Division.

The Committee deemed:

1. as **Founded**, the allegation that Sergeant Eric Gonzalez #[redacted] was in violation of the Department's Manual of Policy and Procedures, Section 3-01/050.10 (Performance to Standards), on or about May 27, 2010, while participating in a tactical operation: the search of the residence of a known gang member on probation; he unnecessarily put himself, and/or his subordinate(s) in an unsafe position; and/or, he failed to properly perform his duties and/or, failed to perform his duties in a manner which will tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department and/or, failed to conform to work standards established for his position, as evidenced by but not limited to:

   a) failing to adequately prepare a tactical operation plan; and/or

   b) assuming the role of the Incident Commander of the tactical operation without informing his watch commander (Lt. Godfrey); and/or

   c) failing to take the role of an observer, and/or failing to ensure his subordinate(s) took the role of an observer in the tactical operation; and/or

d) comprising an entry team that included a non-patrol trained deputy (Deputy Ayala), and/or deputy (Deputy Ayala) lacking experience and/or familiarity with field operations and/or field tactics; and/or

e) allowing a subordinate (Deputy Ayala) approve his supplemental report of the incident.

The Committee recommended that Sergeant Eric Gonzalez #[redacted] receive a **suspension** with loss of pay and benefits for **4 days**.

JSH:RSP/rsp

IV2287540/FO2272828

Table of Contents

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 9 1 0 - 0 0 0 8 3 - 5 0 1 0 - 1 5 1 | Date: 5/27/10 | Time: 1825hrs

Location: [redacted] W. 227th Street | City or Station: Torrance

Bureau/Station/Facility: Mens Central Jail | Admin. Investigation: YES ☐ NO ☒

Type of Force: Significant/Personal Weapons (Subject Hospitalized)

Deputy Injury : YES ☐ NO ☒ | Suspect Injury YES ☒ NO ☐

☐ Call ☐ Observation ☒ Detail | ☐ Foot Pursuit ☐ Vehicle Pursuit

IAB Notified: YES ☒ NO ☐ Person Notified: Lt. Stephanie Fredericks Emp: [redacted] IAB Roll Out: YES ☐ NO ☒

Involved Employee

E 1

Employee # [redacted] | Last Name Gonzalez | First Name Eric | Middle Name

Sex: ☒ Male ☐ Female | Race: H | Unit of Assignment: Mens Central Jail | Work Assignment (Unit #, Module, etc.): G-5S

Shift: ☐ EM ☐ Day ☒ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: 508 | Weight: 180

☐ Injured ☐ Treated ☐ Admitted Hospital: ______ | Coroner Case # | Directed Force ☐ Significant Force ☒

E__

Employee # | Last Name | First Name | Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted Hospital: ______ | Coroner Case # | Directed Force ☐ Significant Force ☐

E__

Employee # | Last Name | First Name | Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted Hospital: ______ | Coroner Case # | Directed Force ☐ Significant Force ☐

☐ **Additional Involved Employees**

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Gonzalez	Eric		Sgt	YES ☒ NO ☐	YES ☐ NO ☐
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Lee	Brian	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Godrey	Edward	

Lieutenant Edward Godfrey
Watch Commander (**Print Name**) | Watch Commander's **Signature**: | Emp #: | Date

Sergeant Sonja Bracken
Supervisor Completing Form: (**Print Name**) | [redacted] Emp #: | Copy Provided to Employee by: | Emp #:

Unit Commander (**Print Name**) | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only
FO#

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 07/08)

Supervisor's Report on Use of Force
SUSPECT INFORMATION
9 1 0 - 0 0 0 8 3 - 5 0 1 0 - 1 5 1

Suspect Information

SJ1
Last Name [redacted] First Name [redacted] Middle Name [redacted]
AKA Last Name First Name Middle Name
Sex: [X] Male [ ] Female | Race: H | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]
Work Phone: [redacted] | Home Phone: [redacted] | Age: 16 | Height: 507 | D.O.B. [redacted] | Weight: 160 | Armed? [X]
Booking #: [redacted] Primary Charge Code: 12101(a)(1)PC Secondary Charge Code: 12101(b)(1)PC Criminal History [redacted]
EMT in attendance? [ ] YES [X] NO Name: Unit: Phone #:
Hospital Admission? [X] Rec'd Treatment At: Coast Plaza Hospital Coroner Case #: Mental History [ ]
By Doctor: Mary Chen M.D. Address: 13100 Studebaker Rd, Norwalk, Ca. 90650 Phone #: (562) 868-3751
Under Influence: [ ] YES [X] NO Substance: Mental Illness [ ]

Suspect Interview

Date: 05/27/10 | Time: 1850hrs | [ ] Audiotape: [X] Videotape: [ ] Photos of Injuries: [X] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__
Last Name First Name Middle Name
AKA Last Name First Name Middle Name
Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:
Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]
Booking #: Primary Charge Code: Secondary Charge Code: Criminal History [ ]
EMT in attendance? [ ] YES [ ] NO Name: Unit: Phone #:
Hospital Admission? [ ] Rec'd Treatment At: Coroner Case #: Mental History [ ]
By Doctor: Address: Phone #:
Under Influence: [ ] YES [ ] NO Substance: Mental Illness: [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: [ ] Videotape: [ ] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__
Last Name First Name Middle Name
AKA Last Name First Name Middle Name
Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:
Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]
Booking #: Primary Charge Code: Secondary Charge Code: Criminal History [ ]
EMT in attendance? [ ] YES [ ] NO Name: Unit: Phone #:
Hospital Admission? [ ] Rec'd Treatment At: Coroner Case #: Mental History [ ]
By Doctor: Address: Phone #:
Under Influence: [ ] YES [ ] NO Substance: Mental Illness [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: [ ] Videotape: [ ] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
9 1 0 - 0 0 0 8 3 - 5 0 1 0 - 1 5 1

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Ayala	Sussie	
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

Supervisor's Report on Use of Force

9[illegible].0-00083-5010-151

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Subject [redacted]	SJ1	Sergeant Gonzalez	E1	UC,RS	NN	
Sergeant Gonzalez	E1	Subject [redacted]	S1	PH	LC	FA
Subject [redacted]	S1	Sergeant Gonzalez	E1	FH	NN	
Sergeant Gonzalez	E1	Subject [redacted]	S1	PK	CO	HE

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

SIGNIFICANT FORCE INCIDENT EVALUATION

UNIT: Men's Central Jail
DATE: May 27, 2010, Thursday
TIME: 1800 hours
LOCATION: [redacted] W. 227th Street #[redacted], Torrance 90012
IAB#: FO2272828
URN#: 910-00083-5010-151

NATURE OF INCIDENT:

On May 27, 2010 (Thursday), deputies from the Men's Central Jail Visiting Area developed information that a 16-year-old male (Subject [redacted]) was in possession of a firearm. A female from the city of Torrance who was detained in the MCJ visiting area, received a text message from a [redacted] that read, "Where are my bullets?" Once the female was questioned further she revealed the [redacted] nickname was '[redacted]' A check of '[redacted]' in the Torrance area [redacted] returned with Subject [redacted] The female confirmed that [redacted] was in fact Subject [redacted]

Subject [redacted] is an active Eastside Torrance Gang member. Subject [redacted] was on probation [redacted] and had an active search clause as part of his probationary conditions. Men's Central Jail Sergeant Eric Gonzalez and a team of MCJ visiting area and OSJ deputies responded to Subject [redacted] home in Torrance. They were also assisted by Century Station "COPS" team.

After completing an operations plan and briefing, as well as containing the location, Sergeant Gonzalez contacted a female resident, [redacted] FH/[redacted] in the home. She confirmed Subject [redacted] resided at the home, and was inside one of the bedrooms. Sergeant Gonzalez instructed Ms. [redacted] to wait outside the residence. Several announcements and commands were given for anyone else inside the home to come out and to make themselves known. As Sergeant Gonzalez was standing just inside the front door of the home he heard OSJ Deputy Gerard Smith (#[redacted], who was at the rear of the containment, yell that Subject [redacted] had a gun and was inside the home. Almost immediately, Sergeant Gonzalez saw Subject [redacted] run out a bedroom and charge toward him at the front door. Sergeant Gonzalez saw Subject [redacted] holding an object in his waistband.

Sergeant Gonzalez was unable to safely discharge his firearm, due to Deputy Juan Rodriguez (#[redacted] and a detained male [redacted] MH/[redacted] being in his line of fire. Fearing that Subject [redacted] had a weapon and was attempting to either assault him or escape into the community, Sergeant Gonzalez reacted to the charging subject by punching him in the face and kicking him in the chest. This resulted in Subject [redacted] staggering backwards, and striking his head on the corner of a wall as he fell to the ground. Subject [redacted] was handcuffed without further incident by Deputy Sussie Ayala (#[redacted]. A fully loaded, six-shot revolver was recovered from Subject [redacted] waistband.

Subject [redacted] was treated at the scene by paramedics, and was released to deputies for transport to a hospital for an "Okay to Book." Subject [redacted] was transported to Coast Plaza Doctors Hospital in Norwalk by Deputies Smith and Mickey Manzo (#[redacted]. Once at the hospital, Doctor Mary Chen M.D. elected to admit Subject [redacted] for testing. It was later determined Subject [redacted] had sustained some bleeding to the frontal lobe of his brain. Subject [redacted] was listed in "guarded" condition, and later recovered from his injuries.

> **<u>IAB Note</u>: For further details on Subject [redacted] injuries, refer to Exhibit B for a copy of his medical report.**

The following deputy personnel reported the following use of force:

Sergeant Gonzalez: Personal weapons: punched Subject [redacted] once in his mouth area; kicked him once in his chest causing him to fall backward and hit his head on a wall.

> **<u>IAB Note</u>: For further details, refer to Exhibit A for a copy of Sergeant Gonzalez' supplementary report on his use of force, File #910-00083-5010-151.**

Medical records indicated that Subject [redacted] sustained a laceration to his lower lip and left frontal bleeding to his brain.

> **<u>IAB Note</u>: For further details, refer to Exhibit B for a copy of Subject [redacted] medical records.**

Subject [redacted] was interviewed by Sergeant Garrido and Lieutenant Godfrey immediately after the incident on May 27, 2010. The interviews were video taped.

IAB Note: For further details, refer to Exhibit C for a copy of Sergeant Garrido's transcribed interview with Subject Gonzalez for further details.

IAB Note: For further details, refer to Exhibit D for a copy of Lieutenant Godfrey's transcribed interview with Subject [redacted]

Lieutenant Stephanie Fredericks was notified and Sergeant Frank Quichocho was assigned to conduct an Administrative review of the incident. The review was later reassigned to Sergeant Sonja Bracken.

The following review is based on written documentation, interviews of witnesses, and involved deputies.

INVOLVED PERSONNEL:

Eric Gonzalez- Sergeant, Employee #[redacted]
Men's Central Jail
Custody Operations Division

EMPLOYEE WORK HISTORY:

Date of Employment:	04/02/1998
Date Assigned to Patrol:	[redacted]
Completed Patrol Training:	[redacted]
Prior Shooting Incident(s):	1
Prior Founded Force Incidents:	[redacted]

INVOLVED SUBJECT:

[redacted] MH/16, Booking #[redacted], DOB: [redacted]
Booking Charges: 12101(a)(1)PC, 12025(a)(1)PC, 12101(b)(1)PC
Main: [redacted] CII: [redacted] CDL: [redacted] FBI#: [redacted]

Involved Suspect Criminal History:

A review of Subject [redacted] criminal history [redacted]

IAB Note: For further on Subject [redacted] Criminal History refer to miscellaneous documents.

DEPARTMENT EMPLOYEE WITNESS:

Deputy Sussie Ayala, Employee# [redacted]
Men's Central Jail
Custody Operations Division

Deputy Juan C. Rodriguez, Employee # [redacted]
Century Station
Field Operations Division, Region II

Deputy Gerard Smith, Employee # [redacted]
Operation Safe Streets, Men's Central Jail
Custody Operations Division

NON-DEPARTMENT WITNESSES:



[redacted] FH/ [redacted]

INJURIES:

Subject [redacted] sustained a laceration to his lower lip and bleeding to his brain.

IAB Note: Refer to Exhibit B, Subject [redacted] medical records.

There were no injuries to deputy personnel.

PHYSICAL EVIDENCE:

None.

INVESTIGATOR'S OBSERVATIONS:

Approximately ½ inch vertical laceration to the left side of Subject [redacted] lower lip area.

There was no examination of the scene at the time of the incident.

WEAPON USED BY DEPUTY PERSONNEL:

Personal weapons (fist, foot).

WEAPON USED BY INMATE:

Uncooperative, Resistance, Assaultive/High Risk-Weapon (handgun).

PROPERTY DAMAGE:

None.

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator: Detective Roberto Bayes #[redacted]

Court: Inglewood Juvenile Court
Charges Filed: 12101(a)(1)P.C.- Minor possessing a concealed firearm, 12101(b)(1) P.C.- Minor possessing ammunition

LIGHTING AND WEATHER CONDITIONS:

The incident occurred indoors. Interior of the home was illuminated by sunlight.

INVOLVED EMPLOYEE STATEMENTS:

SERGEANT ERIC GONZALEZ, Employee #[redacted] was interviewed on October 7, 2010, by Internal Affairs Bureau Sergeant Sonja Bracken and Sergeant Frank Quichocho. The interview took place at Men's Central Jail visiting area sergeant's office and was digitally recorded. The following is a summary.

Sergeant Gonzalez said he was supervising the visiting area. Visiting Deputy Sussie Ayala obtained information on a probationer who was possibly in possession of a firearm. Sergeant Gonzalez said he received permission from Lieutenant Godfrey and Operations Lieutenant Harris to conduct a probation compliance search of Subject [redacted] home in Torrance. He obtained permission from OSJ Lieutenant Thompson to use three deputies from OSJ (Deputies Gerard Smith, Mickey Manzo and Noah Kirk). He also notified Century COPS Sergeant Joseph Garrido who loaned him two deputies (Deputies Juan C. Rodriguez and Edson Salazar).

Sergeant Gonzalez said he developed an Operations plan and all units met with him for a briefing at a designated location in Torrance. The team arrived at Subject [redacted] home. Deputy Salazar was positioned in the front of the home, Deputies Manzo and Smith were

on the rear of the home. Remaining OSJ Deputy Kirk was monitoring the patrol vehicles. The entry team was comprised of Sergeant Gonzalez, Deputies Ayala and Rodriguez. Upon entry they were met with a female [redacted] who signed an entry waiver. Sergeant Gonzalez confirmed with Ms. [redacted] that her [redacted] was in his bedroom inside the location. She was instructed to wait outside the location and she complied.

<u>IAB Note:</u> A check of TRS, all deputies on this operation [redacted]

<u>IAB Note:</u> Upon further investigation and according to the SHAD-49 report File #910-00083-5010-151, Ms. [redacted] was in fact Subject [redacted]

<u>IAB Note:</u> For a copy of the Field Operations plan, refer to Exhibit A.

<u>IAB Note:</u> Field Operations Plan: Page 4, No confirmation from Sergeant Gonzalez on who contacted LA Clear. Page 4, shows Torrance PD as local agency when in fact the location is patrolled by LAPD Harbor Division. Page 5, #4 was circled "YES" by mistake per Sergeant Gonzalez. Page 5, #11 was circled "NO" There would possibly be handguns at the location but that was not confirmed per Sergeant Gonzalez. Verbal approval from Lieutenant Godfrey, no signature on the operations plan.

<u>IAB Note:</u> For photographs of the outside of the location, refer to Exhibit E.

<u>IAB Note:</u> For photographs of the inside of the location, refer to Exhibit F.

<u>IAB Note:</u> For a copy of the signed "Entry and Search Waiver," refer to Exhibit A.

It was also confirmed that another unknown male ([redacted] MH/[redacted]) was inside the restroom of the location.

<u>IAB Note:</u> Mr. [redacted] was incarcerated in North Kern State Prison and unavailable to be interviewed.

IAB Note: For a copy of Mr.[redacted] criminal history, refer to miscellaneous documents.

Sergeant Gonzalez said several announcements were made for any occupants to exit the rooms, which met with negative results. As the entry team began to clear the location, Mr. [redacted] was located exiting the restroom. As he was being detained, Sergeant Gonzalez said he heard a deputy on the rear of the home yell that a subject had a gun and was coming back into the house. Sergeant Gonzalez said suddenly a bedroom door swung open and Subject [redacted] ran towards deputies while grabbing his waistband. Sergeant Gonzalez said due to the proximity of his partners inside the small residence, Deputy Rodriguez and Mr. [redacted] being in his backdrop, he did not want to engage in a gunfight with the subject. He had no time to deploy pepper spray. He did not want Subject [redacted] to possibly escape into the community with a firearm. Sergeant Gonzalez said he reacted by punching him in his face and front kicking him in his chest. Subject [redacted] fell backward, hit his head on a wall and was detained by him and Deputy Ayala. Both males were detained, the location was cleared and a black revolver was recovered from Subject [redacted] waistband.

IAB Note: Sergeant Gonzalez' supplemental report, was signed and approved by Deputy Ayala as an Acting Sergeant. He said there were no other supervisors available and that this was a common practice at MCJ visiting area.

IAB Note: Refer to a copy of Sergeant Gonzalez' transcribed interviews for further details.

Subject [redacted] was treated at the scene by Los Angeles Fire Department Paramedics for a laceration to his left lower jaw area. Subject [redacted] did not complain of any other pain or injuries at the time.

IAB Note: For a copy of medical treatment received at the scene and photographs of his injuries, refer to Exhibit B.

Sergeant Gonzalez said he reported his use of force to Sergeant Garrido and Lieutenant Godfrey.

IAB Note: Refer to a copy of Sergeant Garrido's transcribed interview with Subject Gonzalez for further details, Exhibit C.

IAB Note: Refer to a copy of Lieutenant Godfrey's transcribed interview with Subject [redacted] for further details, Exhibit D.

DEPARTMENT EMPLOYEE WITNESS STATEMENT:

DEPUTY SUSSIE AYALA, Employee #[redacted] was interviewed on October 7, 2010, by Internal Affairs Bureau Sergeant Sonja Bracken and Sergeant Frank Quichocho. The interview took place at Men's Central Jail visiting area and was digitally recorded. The following is a summary.

Deputy Ayala said she was working the MCJ visiting area. She detained an adult female who left a juvenile unattended. While being detained the female received a text that referred to bullets. Upon further investigation, Deputy Ayala said she was able to obtain the person's name ("[redacted]-Subject [redacted]) who sent the text and discovered Subject [redacted] was on probation. Deputy Ayala said she informed Sergeant Gonzalez of her findings. Subject [redacted] probation status was confirmed and a probation compliance search was approved.

IAB Note: The initial detention of the female in visiting and how the information on Subject [redacted] was obtained was not mentioned in the initial report.

Deputy Ayala said a briefing was conducted in Torrance. All deputies were given their assignments and she was designated to deploy the taser during the operation. Once at the location, an entry and search waiver was signed by the female occupant and there was confirmation of two other male occupants including the subject inside the location. Several commands were given but met with negative results. Deputy Ayala said a male, [redacted] was being detained in the restroom of the location. She heard Deputy Smith, on the rear of the house, alert entry team deputies that the subject had a firearm and was inside the location. Deputy Ayala said she saw Subject [redacted] suddenly run out of a bedroom holding his waistband. She saw Sergeant Gonzalez punch and kick Subject [redacted] causing him to fall and hit his head on a wall. Subject [redacted] was taken into custody without further incident. A firearm was recovered.

Subject [redacted] was treated by paramedics at the scene for a laceration to his lower lip area.

Deputy Ayala reported that she witnessed the use of force to Sergeant Garrido.

IAB Note: For further details, refer to SHAD-49 written by Deputy Ayala, Exhibit A.

IAB Note: No emergent radio traffic regarding a firearm was heard on the assigned tactical frequency.

IAB Note: Deputy Ayala confirmed she signed Sergeant Gonzalez' supplemental in this incident as well as signed reports written by Sergeant Gonzalez prior to this incident, Exhibit A.

IAB Note: Refer to a copy of Deputy Ayala's transcribed interview for further details.

DEPUTY JUAN C. RODRIGUEZ, Employee #[redacted] was interviewed on October 26, 2010, by Internal Affairs Bureau Sergeant Sonja Bracken and Sergeant Dondra Cullins. Deputy Rodriguez was represented by Green & Shinee, Attorney Anna Slotky. The interview took place at Internal Affairs Office in interview room B and was digitally recorded. The following is a summary.

Deputy Rodriguez said he was assigned to the Century COPS team at the time of this incident. He said he assisted Sergeant Gonzalez and his visiting deputies with a probation compliance search. He did not recall the details that led up to the probation search. He recalled having a briefing with his partner Deputy Salazar, Sergeant Gonzalez and other deputies. He was not designated to deploy any less-lethal or communicate on the radio. He said he took it upon himself to communicate on the radio if a situation arose.

IAB Note: Deputy Rodriguez previously knew Sergeant Gonzalez from Century Station but had never participated in any entries with him. He confirmed he was entry [redacted] with the Century COPS team.

Deputy Rodriguez said at the time of the entry, he was the lead deputy into the residence. A female adult was detained, signed an entry waiver and she confirmed that two male occupants including Subject [redacted] were inside the location. Announcements were made and met with negative results. He said he detained a male adult, [redacted] that had exited the restroom. As he was detaining Mr. [redacted] he heard yelling coming from outside the rear of the home but could not determine what was being said. He said he felt someone exit a room behind him and he then a heard commotion. He remained in the restroom with Mr. [redacted] and did not see what caused this commotion. He did not recall anything as far as when Subject [redacted] was taken in to custody nor did he recall seeing a firearm.

IAB Note: No emergent radio traffic regarding a firearm was heard on the assigned tactical frequency.

Deputy Rodriguez said he saw blood on Subject [redacted] upper torso. He could not recall where Subject [redacted] was injured. He said Subject [redacted] was seen by paramedics at the scene.

> **<u>IAB Note:</u> There was no supplemental written by Deputy Rodriguez. Due to him being engaged with another person he did not witness the use of force.**
>
> **<u>IAB Note</u>: Refer to a copy of Deputy Rodriguez' transcribed interview for further details.**

DEPUTY GERARD SMITH, Employee #[redacted] was interviewed on October 12, 2010, by Internal Affairs Bureau Sergeant Sonja Bracken and Sergeant Teri Roberts. The interview took place at Internal Affairs Office in interview room A and was digitally recorded. The following is a summary.

Deputy Smith said he was assigned to Operations Safe Jail Custody Investigative Services Unit. He said he was briefed about a compliance search by Sergeant Gonzalez prior to going to Torrance. He and his partners Deputies Manzo and Kirk attended briefing conducted by Sergeant Gonzalez in Torrance prior to going to Subject [redacted] home. He and Deputy Manzo's responsibility was to cover the rear of the home. Deputy Kirk was assigned to monitor the patrol cars parked on the street. Deputy Smith said as they were getting into place at the rear of the home, Deputy Smith sent his partner, Deputy Manzo back to his patrol car to retrieve his keys. He said Deputy Manzo was also designated to call and notify the local police department, which they discovered to be LAPD-Harbor Division not Torrance PD.

> **<u>IAB Note:</u> The rear of the location had an approximate five foot wide narrow walk way, (4) approximately 1 ½ feet high stoops which were enclosed by a six foot high brick wall. There were also clothes lines and recycling bins that were obstructions. Deputy Smith was in the rear of the location alone.**
>
> **<u>IAB Note:</u> Local PD notification was being made simultaneously to the search, not prior to it. Not obtaining the correct local PD information prior to the search caused a delay in Deputy Manzo arriving at his assignment at the rear with Deputy Smith.**

Deputy Smith said as he was getting into position, Subject [redacted] attempted to exit a rear window of the location with a firearm in his hand. He said he yelled for him to drop the gun several times which caused Subject [redacted] to retreat back into the home. Deputy

Smith said he then heard a commotion inside, then a Code-4 is announced. He then entered the rear door and saw Subject [redacted] handcuffed on the floor of the location.

> **IAB Note: No emergent radio traffic regarding the firearm was broadcasted by Deputy Smith.**

Deputy Smith said he saw Subject [redacted] bleeding from his facial area. Subject [redacted] was treated at the scene by paramedics. Deputy Smith said he later transported Subject [redacted] to Norwalk Coast Plaza Hospital where he was admitted for further evaluation.

> **IAB Note: Deputy Smith said OSJ Lieutenant Thompson as well as Commander Parra "encourages anything that can lead us off the street to a nexus to custody jail security to write paper and get after it."**

> **IAB Note: Refer to a copy of Deputy Smith's transcribed interview for further details.**

NON-DEPARTMENT WITNESS STATEMENTS:

[redacted] was interviewed on November 2, 2010, by Internal Affairs Bureau Sergeant Sonja Bracken and Sergeant Teri Roberts, who conducted the interview in Spanish. The interview took place at [redacted] and was digitally recorded. The following is a summary.

Ms. [redacted] said deputies entered the home via and unlocked door, without knocking. They demanded to know if her [redacted] (Subject [redacted] was at home and his location in the home. She said there were a total of four deputies inside the home, three males and one female. She initially said they took Subject [redacted] outside and "beat" him, then changed her story to deputies instructed her to go outside.

> **IAB Note: Conflicting statements made by Ms. [redacted] as to whether or not she was inside or outside when deputies dealt with her [redacted]**

> **IAB Note: There was no evidence to suggest that four deputies were inside the location at the time of the entry. All deputies statements were consistent as to which deputies were inside the residence. All deputies were accounted for.**

Ms. [redacted] said after the incident was over she was able to look through the door of the location from outside and saw Subject [redacted] was bleeding from his mouth. She said an

ambulance responded but she was not sure if Subject [redacted] left the location in the ambulance.

> **<u>IAB Note:</u> Refer to a copy of Ms. [redacted] transcribed interview for further details.**

<u>SUBJECT STATEMENTS</u>:

SUBJECT [redacted] Booking # [redacted] was interviewed on September 29, 2010, by Internal Affairs Bureau Sergeant Sonja Bracken and Sergeant Frank Quichocho. The interview took place at Los Padrinos Juvenile Detention Center in Downey and was digitally recorded. The following is a summary.

Subject [redacted] initially admitted he heard a police radio and thought his home was being raided. He could not recall what led up to him being in the back of a patrol car. He denied hearing any knocking on any doors at his home. He said he opened his window and ran out. He then said he walked out. He said he got on his knees and blacked out. He could not recall how he was injured. He denied possessing a firearm. He said he was sober at the time of this incident. He denied trying to climb out of his bedroom window. He said his [redacted] was in his bedroom with him and not in the restroom.

> **<u>IAB Note</u>: Subject [redacted] did not relay any facts about any physical altercation with deputies. He indicated he was in a "dazed" and blacked out state.**

> **<u>IAB Note:</u> Subject [redacted] made conflicting statements as to if he went out of his window, ran or walked out of his room.**

> **<u>IAB Note:</u> Deputies statements said that [redacted] was detained as he exited the restroom of the location. Subject [redacted] stated [redacted] was in the bedroom with him.**

Subject [redacted] denied being treated by the paramedics at the scene. He recalled that he was treated at Norwalk Coast Plaza Hospital, received five stitches in his lower lip and was told he had internal bleeding in his head. He said he was admitted to Coast Plaza Hospital for three days. He denied being video taped while at his home. He recalled being video taped outside of MCJ. He admitted he was on probation for a firearm at the time of this incident.

> **<u>IAB Note:</u> Refer to a copy of Subject [redacted] medical reports for further details, Exhibit B.**

<u>IAB Note:</u> Subject [redacted] gave different accounts as to what happen at his home to both Sergeant Garrido and Lieutenant Godfrey. He maintained that he could not recall how he was injured. Refer to Sergeant Garrido and Lieutenant Godfrey's transcribed interviews for further details, Exhibits C and D.

<u>IAB Note:</u> During the interview with Lieutenant Godfrey, there was background noise and Subject [redacted] spoke very low, many of his responses were unintelligible on the transcription.

<u>IAB Note</u>: Refer to a copy of Subject [redacted] transcribed interview with Sergeant Bracken for further details.